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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 NETWORK APPLIANCE INC,

No. C-07-06053 EDL

9 Plaintiff,

ORDER STRIKING DOCKET NO. 149

10 v.

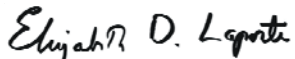
11 SUN MICROSYSTEMS INC,

12 Defendant.
13 _____/

14 On September 8, 2008, counsel for Network Appliance, Inc. filed a six page letter brief
15 containing post-hearing argument regarding claim construction issues (Docket No. 149). While at
16 the claim construction hearing, the Court did ask parties to consider its comments and questions, the
17 Court did not issue any order permitting further briefs by letter or otherwise, and NetApp did not
18 request permission to file its letter beforehand. Accordingly, that letter is hereby STRICKEN.
19 Neither party shall submit any further briefing regarding claim construction without the Court's
20 permission.

21 **IT IS SO ORDERED.**

22 Dated: September 9, 2008

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24 ELIZABETH D. LAPORTE
25 United States Magistrate Judge
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